
HOUSE BILL No. 1116

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-17-5.

Synopsis: Grandparent visitation. Provides that a child's grandparent may seek visitation when a parent or guardian of the child unreasonably refuses or restricts visitation.

Effective: July 1, 2005.

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January 6, 2005, read first time and referred to Committee on Judiciary.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1116

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-17-5-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) A child's
3 grandparent may seek visitation rights if:

4 (1) the child's parent is deceased;

5 (2) the marriage of the child's parents has been dissolved in
6 Indiana; ~~or~~

7 (3) subject to subsection (b), the child was born out of wedlock;

8 **or**

9 **(4) a parent or guardian of the child unreasonably:**

10 **(A) refuses to allow; or**

11 **(B) restricts;**

12 **visitation by the grandparent.**

13 (b) A court may not grant visitation rights to a paternal grandparent
14 of a child who is born out of wedlock under subsection (a)(3) if the
15 child's father has not established paternity in relation to the child.

16 SECTION 2. IC 31-17-5-4 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. A grandparent

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1 seeking visitation rights shall file a petition requesting reasonable
2 visitation rights:

3 (1) in a circuit or superior court of the county in which the child
4 resides in a case described in section 1(a)(1), 1(a)(3), **(1)(a)(4)**, or
5 10 of this chapter; or

6 (2) in the court having jurisdiction over the dissolution of the
7 parents' marriage in a case described in section 1(a)(2) of this
8 chapter.

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